

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

SECURITIES AND EXCHANGE
COMMISSION

v.

GOPALA KRISHNAN, ET AL.

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CIVIL NO. 4:23-CV-885-SDJ

COURT'S ADVISORY CONCERNING PENDING APPEAL

On April 24, 2024, Defendants filed a Notice of Appeal. (Dkt. #117). Therein, Defendants appeal to the United States Court of Appeals for the Fifth Circuit the “Court’s Temporary Restraining Order and Asset Freeze Order [ECF No. 16], [Agreed] Preliminary Injunction and Order Extending Asset Freeze and Other Ancillary Relief [ECF No. 49], and Omnibus Order dated March 7, 2024 [ECF No. 91] as amended by the Order on Receivership Defendants’ Motion for Relief from Paragraphs 9, 10, and 11 of the Omnibus Order [ECF No. 112].” (Dkt. #117). The Court advises the parties that under controlling Fifth Circuit precedent, “[a] notice of appeal from an appealable order divests the district court of jurisdiction over aspects of the case on appeal.” *In re Fort Worth Chamber of Commerce*, 98 F.4th 265, 272 (5th Cir. 2024). Accordingly, the Court is “divested of jurisdiction to take any action with regard to the matter except in aid of the appeal.” *Id.* at 273.

So ORDERED and SIGNED this 1st day of May, 2024.


SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE